

Wednesday, April 29, 2009

House Meets At...	Votes Predicted At...
10:00 a.m. For Legislative Business Fifteen "One-minutes" Per Side	Last vote: 3:00 – 4:00 p.m.

ANY ANTICIPATED MEMBER ABSENCES FOR VOTES TODAY SHOULD BE REPORTED IMMEDIATELY TO THE OFFICE OF THE MAJORITY WHIP AT 226-3210.

Floor Schedule and Procedure

- **Complete consideration of the conference report accompanying S.Con.Res. 13 – Setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014 (Rep. Spratt–Budget):** Pursuant to H.Res. 371, consideration of the conference report will continue as follows:
 1. 20 minutes of general debate
 2. Possible debate and vote on Republican Motion to Recommit the conference report. **Democrats are urged to VOTE NO.**
 3. Vote on agreeing to the conference report. **Democrats are urged to VOTE YES.**
- **H. Res. 372 – Rule providing for consideration of H.R. 1913 – Local Law Enforcement Hate Crimes Prevention Act of 2009 (Rep. Hastings–Rules):** The closed rule provides for one hour twenty minutes of general debate on the bill to be equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on the Judiciary. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary, modified by the amendment printed in the report of the Committee on Rules, shall be considered as adopted and the bill, as amended, shall be considered as read. The rule also provides for one motion to recommit the bill with or without instructions, Debate on the rule will be managed by Rep. Hastings, and consideration will proceed as follows:
 1. One hour of debate on the rule.
 2. Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to VOTE YES.**
 3. Vote on adoption of the rule. **Democrats are urged to VOTE YES.**

- **H.R. 1913 – Local Law Enforcement Hate Crimes Prevention Act of 2009 (Rep. Conyers – Judiciary)**: Pursuant to the rule, general debate on the bill will be managed by Judiciary Committee Chair Rep. John Conyers, Jr. Debate on the bill will proceed as follows:
 - One hour twenty minutes of general debate on the bill.
 - Possible debate and vote on Republican motion to recommit the bill.
 - Vote on passage of the bill. **Democrats are urged to VOTE YES.**

- **Begin consideration of H.R. 627 – Credit Cardholders’ Bill of Rights Act of 2009 (Rep. Maloney – Financial Services)**

- **Suspension Bill:** Today, the House will consider one bill on the Suspension calendar. Bills considered on the Suspension calendar are debatable for 40 minutes; may not be amended; and require a two-thirds vote for passage. If a recorded vote is requested, it will be postponed.
 1. **S. 735** - Protecting Incentives for the Adoption of Children with Special Needs Act of 2009 (Sen. Baucus – Ways and Means)

- **Postponed Suspension Votes:**
 1. **H.Res. 337** - Supporting the observance of National Child Abuse Prevention Month (Rep. Granger – Education and Labor)
 2. **H.Res. 357** - Supporting the goals and ideals of Financial Literacy Month 2009 (Rep. Hinojosa – Financial Services)
 3. **H.R. 46** - Family Self-Sufficiency Act of 2009 (Rep. Biggert – Financial Services)
 4. **H.Res. 109** - Supporting the mission and goals of 2009 National Crime Victims' Rights week to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States, and to commemorate the 25th anniversary of the enactment of the Victims of Crime Act of 1984 (Rep. Costa – Judiciary)

Bill Summary & Key Issues

Conference Report accompanying S.Con.Res. 13 – FY2010 Congressional Budget Resolution Conference Report

The Budget Resolution Conference Agreement protects the key priorities of the House-passed budget resolution –very closely resembling the House-

passed resolution in most key areas. The House passed its version of the budget earlier this month by a vote of 233-196 - the highest vote total on the budget in more than a decade. On the issue of reconciliation, the conference report will follow the House-passed resolution by including reconciliation instructions for health care reform and education investments. On the issue of deficit reduction, the conference report will contain even smaller deficits in 2014 than the House-passed resolution – reducing the 2014 deficit by about \$70 billion more than the House-passed resolution.

Overview

The 2010 Budget Resolution Conference Report incorporates the four key priorities of the President's budget and the House-passed budget. It takes needed steps to restore fiscal sustainability by cutting the federal budget deficit by about two-thirds by 2013. By 2014, deficits are reduced to about 3.0 percent of GDP, a substantial reduction relative to the deficit of 12.0 percent of GDP expected for 2009. The conference report also makes strategic investments in education, health care reform, and energy independence that are necessary to restore our crumbling economy and put the country in a position to remain globally competitive. The budget provides the fiscal blueprint that will allow Congress to debate and adopt legislation that will reach these goals, but, by its nature, the Budget Resolution does not dictate the specifics of the legislation.

Unlike the last Administration, which inherited a \$5.6 trillion surplus projected over ten years, this Administration inherited an economy in steep decline, a budget in record deficit, and faltering public services due to persistent underfunding and inattention. The Congress has already taken steps to create jobs and rebuild our economy by enacting the Recovery Act. The conference agreement on the budget is an economic blueprint for the future that builds on these initial steps by making strategic investments to rebuild our economy over the longer term – including investments in health care reform, education, and energy independence – and by putting the budget back on a path to fiscal sustainability.

Provides the Blueprint for Economic Strength — The budget conference agreement makes strategic investments in education, health care reform, and energy independence that are necessary to restore our crumbling economy and put the country in a position to remain globally competitive. It also takes the needed steps to put us back on a more fiscally responsible path by cutting the federal budget deficit by nearly two thirds by 2013. (See page 2 for more details.)

Supports Health Care Reform — The budget supports the President's goals for health care reform that will lower costs, improve quality, and expand coverage to help the 46 million Americans who now lack health insurance. Like the President's plan, the budget conference agreement assumes health care reform will be paid for and leaves it to the relevant committees to determine the best way to accomplish it. (See page 3 for more details.)

Builds upon Education Investments Made in Recovery Act — The budget builds upon those investments with further support for early childhood education, high standards and the tools to achieve them for elementary and secondary school students, and efforts to help more Americans obtain a college degree. The budget conference agreement accommodates the President's proposals for new initiatives

in early childhood education, effective approaches to making sure all children learn and achieve in school, and continuing to raise the maximum Pell grant award without adding to the budget's bottom line. (See page 4 for more details.)

Invests in Energy Independence — Our budget builds on significant funding and tax incentives in the Recovery Act by increasing our investments in renewable energy and energy efficiency by some 10 percent for 2010. It also allows for fiscally responsible legislation that will promote energy independence over the long term. (See page 5 for more details.)

Honors our Veterans — The budget honors our veterans by providing \$53.4 billion in appropriated funding for veterans' health care and other services, which is \$5.6 billion (11.7 percent) more than the 2009 level. The budget also allows Congress to provide funding for VA medical care a year in advance. (See page 6 for more details.)

Cuts the Deficit by nearly Two Thirds — Our blueprint for the future cuts the deficit by nearly two thirds in four years and even further to 3.0 percent of GDP in 2014, putting the budget on a fiscally sustainable path needed for future economic strength. This budget is in contrast to the historic budget deficit that President Obama and the 111th Congress inherited – a deficit of well over \$1 trillion in 2009. (See page 7 for more details.)

Economic Recovery

The Obama Administration inherited a deficit of well over \$1 trillion and the worst economic down-turn since the Great Depression. The budget conference agreement builds off the President's plan, putting forward a blueprint for the future that responds to the fiscal crisis.

Reflects the Recovery Act — Our budget plan reflects the Recovery Act, including its provisions that provide tax relief to middle-income families, create jobs through investments in infrastructure and other key areas, and extend unemployment benefits for millions of Americans. The Congressional Budget Office (CBO) estimates that the Recovery Act will create up to 3.6 million jobs and will raise GDP by between 1.1 percent and 3.4 percent by the fourth quarter of 2010. CBO also estimates that these actions will help end the recession in the fall of 2009.

Provides the Blueprint for Our Future Economic Strength — The conference agreement makes strategic investments in education, health care reform, and energy independence that are necessary to restore our crumbling economy and put the country in a position to remain globally competitive. It also takes the needed steps to restore fiscal sustainability after the economy has rebounded, cutting the federal budget deficit by nearly two thirds by 2013 and even further to 3.0 percent of GDP in 2014.

Begins to Reverse Bush Administration's Failed Economic Policy — Eight years of Republican policies have produced a drumbeat of economic woes:

- 26 straight months of housing price declines;
- 15 months of job losses and 5.1 million jobs lost, the most since World War II;
- Unemployment soaring to 8.5 percent; and
- Over 40 percent drop in major stock markets from their highs.

Begins to Address Inherited Deficits of over \$1 Trillion — The Obama Administration inherited an economy deep in recession and a projected annual deficit of well over \$1 trillion. This deficit didn't arise out of the blue: President Bush inherited a \$5.6 trillion projected 10-year budget surplus which he dissipated on misguided fiscal choices. That surplus represented an opportunity to address some of the major issues facing our country, including preparing for the needs of the retiring baby-boom generation.

2010 Budget Conference Agreement Invests in Health Care

The budget conference agreement accommodates legislation to improve quality, expand coverage, and address rising costs that put so much budget pressure on families, businesses, and the federal budget.

Supports the President's Goals for Health Reform — The President's principles for health reform include making health coverage affordable and available to all, improving safety and quality, and providing Americans with a choice of health plans and physicians, including the choice of keeping their current health plan.

- ***Begins to Address Rising Costs*** — The average cost of an employer-sponsored family health insurance policy exceeded \$12,000 in 2008, more than twice what it cost ten years ago. Insurance premiums have grown faster than wages, resulting in less take-home pay for workers. The President's principles include reducing high administrative costs and other inefficiencies that lead to higher costs with no added health benefits.
- ***Sets Us on a Path to Increase Coverage*** — The number of people without insurance grew from 38 million in 2000 to nearly 46 million in 2008 – nearly 1 out of 6 Americans. Most uninsured are in working families. Millions more are underinsured, with just bare-bones coverage that leaves them exposed to significant financial hardship if they get sick.
- ***Aims to Improve Quality of Care*** — One study found that only 55 percent of recommended care is actually delivered. More than 1 million Americans are injured or killed each year by prescription drug errors. Cost and quality are closely related. There is evidence that as much as 30 percent of U.S. public and private health spending – about \$700 billion a year – is not producing better health.

Assumes Health Reform Will Be Paid for so that it Does Not Add to the Deficit — Our budget leaves it to the authorizing committees to determine both the policy and how to pay for health care reform.

Protects Health Reform from Senate Filibuster — The conference agreement includes a reconciliation instruction for health reform as an important backup measure that will improve the chances that a health reform bill will make it to the President's desk this year. We will try first to develop a bipartisan bill. However, the minority should not be able to stand in the way of what the majority of Americans want, which is a reformed health care system that improves quality, reduces costs and increases coverage.

Republicans Have No Real Plan for Addressing Rising Health Costs — The Republican plan for health care, including Medicare, is to give everyone a voucher, deregulate the insurance market, and say, "you're on your own." Anyone who has ever had health problems and has tried to get insurance on the individual market, or who has known anyone with these experiences, knows that such a plan is destined to fail. Loosening the rules on insurance companies would lead to a race to the bottom that would undermine care for millions of Americans. It would also lead to skyrocketing administrative costs and paperwork.

2010 Budget Conference Agreement Invests in Education

The budget conference agreement is an economic blueprint for our future that accommodates the President's investments in education from early childhood through post-secondary education and training. It supports the President's goal of improving American education and training a workforce that is prepared to compete and succeed in the global economy.

Builds on Recovery Act's Historic Investment in Education — The conference agreement on the budget includes the \$100 billion in education funding provided in the Recovery Act to help states maintain elementary, secondary, and higher education services. The Recovery Act targeted funds to Title I (Education for the Disadvantaged), Head Start, and special education, where the funding can be used to train more teachers to provide needed services in the future. In addition, Congress this year increased the maximum Pell Grant award by \$619 to a total of \$5,350 – the largest annual increase in the program's history – and created the American Opportunity Tax Credit giving students a tax credit of up to \$2,500 to cover college costs.

Makes College More Affordable and Accessible — The budget conference agreement embraces the President's goal of further investments for educating Americans from early childhood through post-secondary education and training. It accommodates the President's proposal to continue raising the maximum Pell grant award in a fiscally responsible way, and to provide additional assistance to help more low-income high school graduates attend and complete college.

Increases Education Funding — The conference agreement matches the President's increase in education funding for targeted services that will raise student achievement using both proven practices and innovative approaches that bring more of the community into cooperative efforts to educate our children.

Supports Early Childhood Education — The budget conference agreement supports education at a young age through a range of approaches, including the President's initiatives to help strengthen and expand early childhood education programs, and paid-for increases in evidence-based home visiting services and reauthorization of support for school meals.

Supports Improved School Breakfast and Lunch Programs — The conference agreement includes a deficit-neutral reserve fund to reauthorize, expand, and improve the child nutrition programs. This reserve fund provides for improvements to meal quality and access in the school lunch and school breakfast programs, which serve nutritious meals to over 31 million children every year.

Republican Plan Could Cut Education — The Republican budget alternative made absolutely no mention of education – no plan to invest in higher education, job training, or even the vital services that put our children on the path to lifelong learning and success. Instead, it made deep unallocated cuts in spending every year – cuts that could easily fall on education as well as other critical governmental services such as health care and law enforcement.

2010 Budget Conference Agreement Invests in Energy Independence

The budget builds on significant funding and tax incentives in the Recovery Act by increasing our investments in renewable energy and energy efficiency by some 10 percent for 2010. These investments will spur new sources of energy that we can produce here, creating new “green collar” jobs for American workers. The conference agreement on the budget also allows for fiscally responsible legislation that will promote energy independence over the longer term.

Builds on Investments in the Recovery Act — The budget reflects the energy investments in the Recovery Act that total \$39 billion in funding and \$20 billion in tax incentives to spur the development and production of new energy and jobs. These investments include:

- modernizing the electricity grid to make it more efficient, secure, and reliable;
- making loans for renewable energy power generation;
- increasing the energy efficiency of federal buildings; and
- helping make state and local governments more energy efficient.

Provides a 10 Percent Increase for Energy Programs — The conference agreement increases appropriations for energy programs by \$540 million (nearly 10 percent) above the 2009 level of regular appropriations. These funds for renewable energy, energy efficiency, research, and technological development are in addition to the funding and tax incentives for energy investment provided in the Recovery Act.

Accommodates Legislation Promoting Energy Independence — Our budget includes a reserve fund that accommodates fiscally responsible legislation to

promote energy independence – including to reduce greenhouse gas emissions and help businesses, industries, states, communities, and households adjust to an economy with reduced emissions levels.

Years of Missed Opportunities under Republican Rule — Most of the last eight years were marked by missed opportunities under the Bush Administration. Its failure to make bold investments in renewable energy and more efficient technology has left us dangerously dependent on foreign oil, which continues to leave our economy and American families vulnerable.

2010 Budget Conference Agreement Honors Our Veterans

Our budget honors our veterans by providing an 11.7 percent increase for veterans' health care and other services. In addition, the conference agreement on the budget allows Congress to provide funding for VA medical care a year in advance.

Honors our Veterans by Providing an 11.7 Percent Funding Increase — The budget builds on the President's request by providing \$53.4 billion in appropriated funding for veterans' programs for 2010, which is \$5.6 billion (11.7 percent) more than the 2009 level. Over five years, the conference agreement increases funding for veterans' programs by more than \$27 billion.

Expands Health Care Eligibility and Research — The conference agreement supports the President's budget by ending the Bush Administration's ban on enrolling modest-income veterans for VA health care. It also provides more funding than 2009 for VA to research and treat mental health, post-traumatic stress disorder, and traumatic brain injury.

Affirms VA's Current Billing Policy — Our budget affirms and assumes VA's current policy of paying for the treatment of veterans' service-connected conditions and billing private insurance companies only for the treatment of conditions that are not related to a veteran's military service.

Under Republican Rule Veterans' Programs Were Squeezed — The previous Administration and House Republicans proposed increasing fees on veterans, placed a ban on enrolling new Priority 8 veterans for VA-provided health care, and proposed inadequate budgets that squeezed veterans programs. For example, President Bush's final budget cut veterans' funding by nearly \$20 billion over five years.

Restores Fiscal Responsibility and Accountability

The conference agreement on the budget begins the process of turning around the Republican budget legacy of deep deficits, mounting debt, and economic decline due to the Bush Administration's reckless fiscal policy. It takes steps to put the budget back on a fiscally sustainable path by restoring fiscal responsibility and cutting the deficit by nearly two thirds by 2013.

Cuts the Deficit by Nearly Two Thirds — The President set a firm goal of cutting the budget deficit in half over four years, and this conference agreement does that and more. It takes the record deficit that President Obama and the 111th Congress inherited in 2009, and cuts the 2009 deficit of \$1.7 trillion by nearly two thirds in 2013 and even further to 3.0 percent of GDP in 2014.

Invests to Build a Stronger Economy without Increasing the Deficit — Our budget makes strategic investments in health care, education, and energy, areas critical to a strong economic future. For these and other key priorities, it includes deficit-neutral reserve funds that will accommodate legislation in these areas consistent with the pay-as-you-go (PAYGO) principle.

Improves Fiscal Discipline through Statutory PAYGO — The budget improves fiscal discipline by requiring statutory PAYGO as a condition for making current policy adjustments to the baseline for tax cuts and the Medicare physician payment system. Statutory PAYGO was critical to turning the budgets around in the 1990s, but the Republican Congress and the Bush Administration allowed it to expire in 2002, contributing to the deep deficits they accumulated. As one of its first acts, the 110th Congress instituted a tough new House PAYGO rule. The resolution would reaffirm and strengthen the commitment to PAYGO by providing for action on statutory PAYGO to enforce a realistic baseline.

Includes Investments in Oversight and Enforcement Yielding Valuable Savings — Our budget generates valuable savings by expanding oversight activities in large benefit programs, more aggressively pursuing fraud, and increasing tax compliance and enforcement activities to ensure taxpayer dollars are spent wisely.

Makes More Realistic Deficit Estimates — To provide for a more realistic accounting of the government's financial position, our budget – like the President's plan – includes likely foreseeable costs that have been omitted from past budgets. These include costs of our overseas deployments and emergencies such as natural disasters that can't be predicted with precision, but that nevertheless can be expected to occur.

H.R. 1913 – the Federal Local Law Enforcement Hate Crimes Prevention Act of 2009

The Federal Local Law Enforcement Hate Crimes Prevention Act has **broad bipartisan support** and passed both the House and Senate during the 110th Congress (the House passed the bill 237-180 in May 2007). Bipartisan majorities also voted in favor of hate crime legislation in the 109th, 108th and 106th Congresses. Over 300 law enforcement, civil rights, civic and religious organizations support the passage of this crucial piece of legislation. Importantly, virtually every major law enforcement organization in the country has endorsed the

bill – including the International Association of Chiefs of Police, the National District Attorneys Association, the National Sheriffs Association, the Police Executive Research Forum, and 31 state Attorneys General. This carefully crafted proposal gives local police and sheriffs' departments the resources they need to help investigate and prosecute violent criminals.

Why We Must Pass This Legislation

As Americans, we must take a strong stand against violence committed against our neighbors for simply being themselves. The purpose of our government, first and foremost, is to protect all of our citizens — whether they are African American, disabled, Christian or gay. These hate crimes chip away at the very foundations of our democracy – that all citizens are created equal and are afforded the same freedoms and protections. H.R.1913 will provide assistance to state and local law enforcement agencies and amend Federal law to facilitate the investigation and prosecution of bias-motivated crimes of violence.

This bill is a civil rights bill designed to protect innocent Americans from violent crime committed against them because of a perceived status that has a history of being targeted for hate-based violence. We were elected to represent and protect all Americans from violence, regardless of their race, religion, gender, disability, or sexual orientation.

We are Democrats. We are the party of civil rights, of equal justice under law for all Americans. As Dr. King wisely reminded us, “The time is always right to do what is right.” Passing this legislation is the right thing to do, and now is the right time to do it.

It is essential that we show strong support for passage of this legislation and the ideals of justice and fairness which it embodies. We must defeat any Motion to Recommit, support final passage, and, therefore, through our deeds affirm and demonstrate this Caucus' commitment to equality and civil rights for every American. That is what this bill is about, and that is what we as Democrats are and should be about.

What the Bill Would Do

Protects First Amendment Rights. The Hate Crimes Prevention Act protects the First Amendment rights of the accused by prohibiting the introduction of evidence of association or expression to prove that a crime has been committed, unless it specifically relates to the offense.

Protects ALL Forms of Expression Guaranteed in the Constitution. Sec. 8 contains an important rule of construction that makes it clear that nothing in this Act, or the amendments made by this Act, shall be construed to prohibit any expressive conduct protected from prohibition by, or any activities protected by, the Constitution.

Expands Protected Crimes. It is time to bring hate crimes law into the 21st century. The current federal law, enacted nearly 40 years ago, limits federal jurisdiction over hate crimes to violent incidents directed against individuals on the basis of race, religion, color or national origin – but only when the victim is targeted

because he/she is engaged in a federally protected activities, such as voting. The legislation broadens this provision to cover all violent crimes motivated by race, color, religion, or national origin when the defendant causes bodily injury or death, or attempts to cause bodily injury or death through the use of fire, a firearm, or an explosive device.

Extends Existing Protections to More Americans. HR 1913 expands current law to prohibit the same conduct, if such conduct were motivated on the basis of the victim's gender, sexual orientation, gender identity, or disability under a wider range of federal jurisdictional circumstances than federally protected activities. The federal government – through decades of civil rights and criminal law—has a history of combating violent crimes based on prejudice. HR 1913 merely expands the current law to include groups that have historically been affected by violence. This legislation sends a strong and clear message that hate crimes will not be tolerated and brings more uniformity and fairness to existing law.

Assists Local Law Enforcement. State and local authorities currently prosecute the overwhelming majority of hate crimes and will continue to do so under this legislation. The special attention that these crimes require can stretch local law enforcement resources beyond their capacity. Thus, the major focus of the bill is allowing the Federal government to provide crucial federal resources to state and local agencies to equip local officers with the tools they need to prosecute hate crimes. The legislation also authorizes the Attorney General to make grants to state and local law enforcement agencies that have incurred extraordinary expenses associated with the investigation and prosecution of hate crimes.

Requirements for Federal Prosecution. The bill ensures that the Federal prosecution of hate crimes is limited to cases that implicate the greatest Federal interest and present the greatest need for Federal intervention. Only in specific, limited instances will the Federal government prosecute crimes under this Act. Furthermore, the bill requires a detailed, written certification from the Attorney General before prosecutions can be brought under sections 249 (a)(1) and (a)(2)..

What the Bill Would Not Do

The Bill does NOT limit freedom of Speech. This legislation has been crafted in a fashion to that protects 1st Amendment rights. Section 7(d) establishes a “Rule of Evidence” that an expression or association of the defendant may not be introduced as substantive evidence at trial, unless the evidence specifically relates to that offence. The bill is designed only to punish violent acts, not beliefs or thoughts – even violent thoughts. The legislation does not punish, nor prohibit in any way, name-calling, verbal abuse or expressions of hatred toward any group, even if such statements amount to hate speech. **It covers only violent actions that result in death or bodily injury.**

The Bill will NOT limit Religious Expression. Some churches have stated that with passage of this bill, ministers may be arrested for speech and words said in the pulpits. This is false. **This bill is about violent crime. It is not about and does not prohibit thought, speech or expression protected by the First Amendment.**

The Bill will NOT Change or Expand the Categories of Protected People from those included in previously passed legislation. This bill is the same bill that we have voted on and, as a Caucus, overwhelmingly supported in the past, including the 110th and 109th Congresses. There may be rumors that this legislation somehow changes or expands the categories of protected classes. Those rumors are completely false.

H.R. 627 – the Credit Cardholders’ Bill of Rights Act of 2009

The “Credit Cardholders’ Bill of Rights,” provides crucial protections against unfair, but unfortunately common, credit card practices.

Ends Unfair, Arbitrary Interest Rate Increases.

Prevents card companies from unfairly increasing interest rates on existing card balances – retroactive increases are permitted only if a cardholder is more than 30 days late, if a pre-agreed promotional rate expires, if the rate adjusts as part of a variable rate, or if the cardholder fails to comply with a workout agreement.

Requires card companies to give 45 days notice of *all* interest rate increases or significant contract changes (e.g. fees)

Lets Consumers Set Hard Credit Limits, Stops Excessive “Over-the-Limit” Fees.

Requires companies to let consumers set their own fixed credit limit.

Prevents companies from charging “over-the-limit” fees when a cardholder has set a limit, or when a preauthorized credit “hold” pushes a consumer over their limit.

Limits (to 3) the number of over-the-limit fees companies can charge for the same transaction – some issuers now charge virtually unlimited fees for a single violation.

Ends Unfair Penalties for Cardholders Who Pay on Time.

Ends unfair “double cycle” billing – card companies couldn’t charge interest on debt consumers have already paid on time.

If a cardholder pays on time and in full, the bill prevents card companies from piling additional fees on balances consisting solely of left-over interest.

Prohibits card companies from charging a fee when customers pay their bill.

Requires Fair Allocation of Consumer Payments.

Many companies credit payments to a cardholder’s lowest interest rate balances first, making it impossible for the consumer to pay off high-rate debt. The bill bans this practice, requiring payments made in excess of the minimum to be allocated proportionally or to the balance with the highest interest rate.

Protects Cardholders from Due Date Gimmicks.

Among other measures, requires card companies to mail billing statements 21 calendar days before the due date (up from the current 14 days), and to credit as “on time” payments made before 5 p.m. local time on the due date.

Extends due date to next business day for mailed payments when the due date falls on a day a card company does not accept or receive mail (i.e. Sundays and holidays).

Prevents Companies from Using Misleading Terms and Damaging Consumers’ Credit Ratings.

Establishes standard definitions of terms like “fixed rate” and “prime rate” so companies can’t mislead or deceive consumers in marketing and advertising.

Gives consumers who are pre-approved for a card the right to reject that card prior to activation without negatively affecting their credit scores.

Protects Vulnerable Consumers From High-Fee Subprime Credit Cards.

Prohibits issuers of subprime cards (where total yearly fixed fees exceed 25 percent of the credit limit) from charging those fees to the card itself. These cards are generally targeted to low-income consumers with weak credit histories.

Bars Issuing Credit Cards to Vulnerable Minors

Prohibits card companies from knowingly issuing cards to individuals under 18 who are not emancipated minors.

Requires Better Data Collection from Credit Card Industry

Requires reports to Congress by the Federal Reserve on credit card industry practices to enhance congressional oversight.

Swift Implementation of 45-Day Notice Requirement

Requires card companies to send out 45-day notice of interest rate increases 90-days after the bill is signed into law.

Quote of the Day

“In wisdom gathered over time, I have found that every experience is a form of exploration.”

— Ansel Adams